LAW OFFICES OF



Synnestvedt & Lechner Llp

2600 ARAMARK TOWER
IIOI MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL Synnlech&synnlech.com

July 11, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Neil Cashman

Marty Lehto

Application No.: 10/568,729

Filing Date:

February 17, 2006

For: Epitope Protection Assay and Method For

Detecting Protein Conformations
(Attorney Docket No: P31,382 USA)

Group Art Unit:

Confirmation No:

Examiner: N.Y.A.

7149

N.Y.A.

CERTIFICATE OF MAILING

Mail Stop: Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §1.97(b) (3)

Sir:

It is requested respectfully that the information identified on the enclosed Form PTO-1449 (Modified) be made of record and considered with respect to the above-referenced patent application. A copy of each item of information identified on the Form and required by 37 C.F.R. 1.98(a)(2) is enclosed. The Examiner is requested to indicate that each item on the

SYNNESTVEDT & LEGHNER LLP Application No. 10/568,729 Filing Date: February 17, 2006

Attorney Docket No. P31,382 USA Page: 2

enclosed Form PTO-1449 (Modified) has been considered by initialing and dating the enclosed Form and returning a copy of same to the undersigned.

Identification of information on the attached Form, or in this statement, is not an admission that such information is prior art to the invention claimed in the present application or that such information is in an analogous art area.

This Information Disclosure Statement is filed before a first Office Action on the merits. However, if the first Office Action happens to cross in the mail with the submission of the Information Disclosure Statement, the Patent Office is hereby authorized to charge the amount of \$180.00 pursuant to the fee required under 37 CFR 1.17(p) to Deposit Account Number 19-5425. A copy of this authorization is enclosed for charging purposes should it be necessary to charge the above account.

Respectfully submitted,

Marc S. Segal, Esquire Registration No. 40,163

Synnestvedt & Lechner LLP 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107 Telephone (215) 923-4466 Facsimile (215) 923-2189

S:\B\BERESKIN & PARR\Patents\P31382 USA\PTO\IDS Transmittal Letter.doc

JUL 1 7 2006

Approved for use through 07/31/2006, OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE nder the Paperwork Re tion Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form, 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) of 2

Sheet

Complete If Known					
Application No.	10/568,729				
International Filing Date	August 20, 2004				
First Named Inventor	Neil Cashman				
Art Unit	N.Y.A.				
Examiner Name	N.Y.A. Chang-Yu Wang				
Attorney Docket Number	P31.382 USA				

Confirmation No.

			U.S. PATENT I	DOCUMENTS		
Examiner Cite		Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Examiner Cite Initials * No.*	Number - Kind Code ² (# known)	MM-DD-YYYY				
	1	US-6,406,864	06/18/2002	The Regent of the Univ. of California	claims 1-8, 10-39	
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-		1		
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Cite		Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁰
	1	CA 2,452,946	06/19/2004	Ortho-clinical diagnostics, Inc.	claims 31-38	
	2	CA 2,408,762	04/19/2003	Aventis Behring GmbH	claims 1-8, 10-30, 39	
				ļ		
			-			
	ı		i	1	1	

Examiner Signature	/Chang Yu Wang/	Date Considered	09/25/2008

"EXAMINE: I initial 3 reterence consistent, whether or not claims in in contemptee with IMPE 600. Draw like invested inclined in I not consistent. Mostle or good that form with west communications applicant." Agriculture in under the designation under claims of expertant in the contempt of support of property of the contempt of the expertant in the

Transition is studed.

This collection of information is required by 37 CFR 1.97 and 1.89. The information is required to obtain or relate a borefit by the problem which is 0 file (and by the problem) or process are registered. Confidentially properties of the problem of the

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB09b(08-03)
Approved for use through 07/31/2006. OMB 0691-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

	Under the Paperwo	JIK MEUL	icalon Aca or 1995, no persons a	ire required to respond to a collection of	Information unless it contains a valid CIVIB control number
Substitute for form 1449B/PTO			Complete if Known		
INFORMATION DISCLOSURE		Application No.	10/568,729		
				International Filing Date	August 20, 2004
STAT	EMENTB	YΑ	PPLICANT	First Named Inventor Neil Cashman	
				Art Unit	N.Y.A.
	(Use as many she	eets as	necessary)	Examiner Name	N.Y.A. Chang-Yu Wang
Sheet	2	of	2	Attorney Docket Number	P31,382 USA
				Confirmation No.	7149

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, (riby and/or country where published.	T²	
	1	BOLTON et al. (July 1991), Molecular location of a species-specific epitope on the hampster scrapie agent protein, J of Virology, 65(7):3667-3675.		
	2	SAFAR et al. (November 2002), Measuring prions causing bovine spongiform encephalopathy or chronic wasting disease by immunoassays and transgenic mice, Nat. Biotechnot., 20(11):1147-1150.		
	3	PARAMITHIOTIS et al. (July 2003), A prion protein epitope selective for the pathologically misfolded conformation, <i>Nat. Med.</i> , 9(7):893-899.		
	4	SOTO C. (October 2004), Diagnosing prion diseases: needs, challenges and hopes, Nature Rev Microbiol., 2(10):809-819.		

Examiner Signature	/Chang Yu Wang/	Date Considered	09/25/2008
oignature		Considered	

*EXAMINET: Initial if reference considered, whether or not clastion is in conformance with MPEP 099. Draw line through clastion if not in conformance and not considered, include copy of Inition of Inition with next communication to applicatent.

*Applicant's unique citation designation number (optional), *Applicant is to place a check mark here if English language Translation is sto file (and by this collection of Information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is a file file of the USPTO to processly an application. Confideratisty is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preserving, and submitting the completed application from the full CPFTO. Time will vary depending upon the individual information of the complete application from the full CPFTO. Time will vary depending upon the individual information of the complete application from the full CPFTO. Time will vary depending upon the individual information of the complete application from the full CPFTO. Time will vary depending upon the individual information of the complete application from the full complete appl

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1450.